

REGULAR CITY COUNCIL MEETING

AUGUST 26, 1985

PRESENT

Grant S. Nielson
Craig Greathouse
Ruth Hansen
Gayle Bunker
Neil Dutson

Mayor
Council Member
Council Member
Council Member
Council Member

ABSENT

Don Dafoe

Council Member

OTHERS PRESENT

Jim Allan
Warren Peterson
Dorothy Jeffery
Roger Young
Jim Fletcher
Mark Musuris
Gene Sturzenegger
Kim Morris
Bob Rowley
Loa B. Black
Pearl Topham
Sherry Nickle
Albert Nickle
Del Ashby
Martin O. Ludwig
Ruth S. Bishop
Warren Jensen
Roy Barraclough
Sylvester J. Forkenave III
Neil C. Rawlinson
Bryant Larsen
Irene Twitchell
Rodger Williams
Louise H. Lyman
Joy Morrison
DeAnn Burton
Morris Burton
R.J. Mitchell
Lucile Wood
Lon F. Wood
Mary Henrie
Virginia Johnson
Earl Willden
Ronald DeGraw

City Manager
City Attorney
City Recorder
Chief of Police
KNAK Radio Station
Utah Department of Transportation
Utah Department of Transportation
Utah Department of Transportation
Utah Department of Transportation
Delta Citizen
Delta Citizen
Delta Citizen
Delta Citizen
Delta Citizen
West Millard Senior Housing Complex
Delta Citizen
Delta Citizen
Millard County Commissioner
Delta Community Medical Center
Delta Citizen

Delta Citizen
Delta Citizen
Social Services
Delta Citizen
Delta Area Chamber of Commerce
Delta Citizen
Delta Police Department
Delta Police Department
Delta Citizen
Delta Citizen
Delta Citizen
Delta Citizen
Delta Citizen
Delta Citizen
Delta Citizen

Sherry DeGraw	Delta Citizen
Jean Smith	Delta Area Chamber of Commerce
Sara Smith	Delta Citizen
Gentry Smith	Delta Citizen
Rayola Tolley	Delta Citizen
Roberta Dutson	Delta Citizen
Dorothy Atkinson	Delta Citizen
Leona Riding	Delta Citizen
Bud Nielson	Delta Citizen
Lucille Hansen	Delta Citizen
Dan Hansen	Delta Citizen
Dennis Ashbrook	DuWill Publishing
Susan B. Dutson	Chronicle Progress
Rita Bullcreek	DuWill Publishing
Archie Barben	Express Co.

Mayor Grant Nielson called the meeting to order at 7:00 p.m. Dorothy Jeffery, Delta City Recorder, acted as secretary. Mayor Nielson stated that notice of the meeting time, place and agenda were posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle Progress, the Millard County Gazette, the local radio station, KNAK and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Regular City Council Meeting held July 29, 1985, were tabled for Attorney Peterson's review.

The proposed minutes of a Public Hearing held August 12, 1985, were presented for the Council's consideration and approval. The Council reviewed the minutes briefly after which Council Member Craig Greathouse MOVED the minutes be approved as presented. Council Member Neil Dutson SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

The proposed minutes of a Regular City Council Meeting held August 12, 1985, were presented for the Council's consideration and approval. The Council reviewed the minutes, after which Council Member Ruth Hansen MOVED the minutes be approved as corrected. Council Member Craig Greathouse SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

The proposed minutes of a Special City Council Meeting held August 14, 1985, were presented for the Council's consideration and approval. The Council reviewed the minutes after which Council Member Gayle Bunker MOVED the minutes be approved as presented. Council Member Ruth Hansen SECONDED the

motion. Mayor Nielson asked if there were any questions or comments regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the list of accounts payable which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Craig Greathouse MOVED the accounts payable be approved for payment as listed, but excluding the bill from D&J Bennett Construction in the amount of \$1,679.78 and \$1,307.20. Also excluding from the accounts payable the bill from Utah Power & Light Company in the amount of \$7,701.93. The motion was SECONDED by Council Member Ruth Hansen. Mayor Nielson asked if there were any further questions or comments regarding the accounts payable. There being none, he called for a vote on the motion, which passed unanimously.

RUTH HANSEN: APPOINTMENT OF CITIZEN TO THE LIBRARY ADVISORY BOARD

Council Member Ruth Hansen MOVED that the Council appoint Mrs. Lois Steele as a member of the Library Advisory Board. Council Member Neil Dutson SECONDED the motion. Mayor Nielson asked if there were any further questions or comments regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

DELL ASHBY: DISCUSSION OR REQUEST TO VACATE ALLEY - 250 WEST FROM 50 SOUTH TO 100 SOUTH - WEST MILLARD CARE CENTER

Mayor Nielson recognized Mr. Dell Ashby and requested that he review with the Council a request for vacation of an alley way located at the above address between the Senior Citizen Center and the West Millard Care Center property.

Mr. Ashby said that there is an alley dividing a piece of property owned by the West Millard Hospital District. Mr. Ashby requested that the City deed the alley to the Hospital District with the intent of the District keeping the alley open to traffic. Mr. Ashby said that the property comprising the alley is needed to meet the minimum area requirements for construction and to create continuity between the two properties owned by the Hospital District on each side of the alley. He said this property will later be conveyed from the Hospital District to Millard County Housing Authority.

Following a brief discussion of the proposed alley vacation, Council Member Gayle Bunker MOVED to vacate 250 West from 50 South to 100 South for the Millard County Housing Authority with an easement for a road given back to the City being subject to either a public hearing being held or a petition by the adjacent property owners. The motion was SECONDED by Council Member Craig Greathouse. Mayor Nielson asked if there were any comments or questions regarding the motion. There being none, he called for a vote on the motion. The motion passed unanimously.

DELL ASHBY: DISCUSSION/DECISION OF BUILDING PERMIT FEE FOR SENIOR CITIZEN'S HOUSING COMPLEX

Mr. Ashby requested that this item be tabled until the next Regular City Council Meeting.

Council Member Neil Dutson MOVED that this item be tabled as requested by Mr. Dell Ashby. The motion was SECONDED by Council Member Gayle Bunker. Mayor Nielson asked if there were any further questions or comments regarding the Senior Citizen's Housing Complex building permit fee. There being none, he called for a vote on the motion, which passed unanimously.

ATTORNEY WARREN PETERSON: DISCUSSION/DECISION OF PROPOSED ZONING ORDINANCE.

Attorney Warren Peterson was called out on an emergency; therefore, the above issue was tabled until Attorney Peterson could be in attendance.

ATTORNEY WARREN PETERSON: PROPOSED ORDINANCE REGARDING OFF ROAD VEHICLES

Following a brief discussion, Council Member Neil Dutson MOVED to table the above proposed ordinance until the Council could review a draft of the ordinance. Council Member Gayle Bunker SECONDED the motion. Mayor Nielson asked if there were any further comments or questions regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

DOROTHY JEFFERY: DISCUSSION OF ELECTION JUDGES FOR THE 1985 MUNICIPAL ELECTION

Delta City Recorder Dorothy Jeffery said that she has talked with Vernon Carr, who is the authority on elections in the state of Utah. Mr. Carr told Mrs. Jeffery that the two voting districts in Delta City could use the same building. Mr. Carr said that six election judges will be needed for the two districts with one head judge in each district. Mrs. Jeffery requested that Norma Pearson and Mae Shields be appointed as head judges for the 1985 elections. Mrs. Jeffery said that she would meet with the two election judges and discuss additional names for Council's consideration to fill the other positions as election judges.

Following a brief discussion, the Council concurred that Mrs. Jeffery should ask Mrs. Pearson and Mrs. Shields to serve as election judges.

CITY MANAGER JIM ALLAN: DISCUSSION OF PARK IMPACT FEES ON THE MEADOW PARK SUBDIVISION AND ADJACENT ANNEXED PROPERTIES

City Manager Jim Allan said that Paul Taggart has requested reimbursement of some of the money that he has paid to the City. Mr. Taggart made a total deposit to the City in the amount of \$9,076.20 as part of the agreement in the Meadow Park Annexation. The agreement stated that Mr. Taggart provide 7% of the land or value of that land be put into an escrow account of which the City would then have the option of using that money for park acquisition.

Mr. Taggart has requested that since he has not developed the full area that was originally annexed, that he be allowed to receive some of that money back. Mr. Allan said that there is no statement where the City Council is authorized to rebate any money if owners do not develop the full extent of the land as originally petitioned.

It was Mr. Allan's concern that if the Council does grant this request, then other petitioners would want equal consideration if they haven't developed their original proposal.

Mr. Taggart was not in attendance at this meeting, and it was the feeling of the Council to allow Mr. Taggart the opportunity to voice his opinion.

Council Member Gayle Bunker MOVED that this issue be tabled until Mr. Taggart is able to be in attendance. The motion was SECONDED by Council Member Neil Dutson. Mayor Nielson asked if there were any further questions or comments regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

GENE STURZENEGGER, UDOT: DISCUSSION OF DELTA CITY'S REQUEST FOR TRAFFIC SIGNALS ON MAIN STREET AND SPEED LIMIT CHANGE

Mayor Nielson recognized Gene Sturzenegger of Utah Department of Transportation and requested that he present their plan for traffic control on Main Street and the reduced speed limit within the City limits on the east side of Delta.

Mr. Sturzenegger said that UDOT has done a number of studies on the Delta Main Street traffic and Delta does not meet the warrants to receive traffic lights according to the regulations established by the federal government. Mr. Sturzenegger presented a diagram illustrating a proposed inner island design for Main Street as an alternative traffic control method. Fire Chief Bryce Ashby, Scott Nickle, EMT, and Chief of Police Roger Young voiced opposition to the plan because of the problem of inhibiting emergency vehicles.

Many of the Delta citizens were in attendance at the meeting and voiced their opinions and expressed their concerns regarding the impossibility of crossing Main Street during traffic peak hours either by car or on foot and the safety hazards posed to pedestrians and drivers alike. Citizens noted that most of the Delta businesses are located on the South side of Main Street, and most of the schools are located on the North side of Main Street; therefore, the citizens and children are continuously crossing Main Street at all times of the day.

Mr. Albert Nickle, who was in attendance, said that he felt that the federal government does allow the State to do some things on their own and should give some consideration to the State on such a project as this.

Following discussion of the proposed reduced speed limits on the east end of Delta, Mr. Sturzenegger said that the State must follow Federal regulations and the area does not meet the Federal warrants for reduced speed.

Following a lengthy discussion of the proposed traffic lights, Mr. Sturzenegger agreed with nearly every argument put forth by the citizens in attendance, but denied the possibility of traffic controls, and said that UDOT does not want to assume liability for the change and according to UDOT there is not enough traffic on Main Street to "warrant" the stop lights on Main Street.

Mayor Nielson thanked Mr. Sturzenegger for coming and explaining the circumstances and listening to Delta citizen's concerns, and he encouraged Mr. Sturzenegger to try to have appropriate traffic controls installed.

CHIEF ROGER YOUNG: RESOLUTION GUARANTEEING PAYMENT TO P.O.S.T. FOR LAW ENFORCEMENT INSTRUCTION AND GUARANTEED TENURE OF EMPLOYMENT

Chief Roger Young introduced Paul Mitchell to the Council as a replacement for Scott Lakey who left the Department in July. Mr. Mitchell enters P.O.S.T. September 9, 1985, for law enforcement instruction which is required before an officer is allowed to work the streets. Mr. Mitchell completes his training November 15, 1985, and will then return for employment with the Delta Police Department.

Attorney Warren Peterson said that a resolution is already on file guaranteeing payment for P.O.S.T. certification. Therefore, no action was taken on the request to approve such a resolution, but the Council expressed appreciation for the opportunity to meet Paul Mitchell.

MAYOR GRANT NIELSON: MILLARD COUNTY'S PROPOSED AMENDMENTS TO DELTA CITY'S CONDITIONS OF JOINING FIRE DISTRICT

Mayor Nielson asked Council Member Craig Greathouse to address the issue of the proposed amendments to Delta City's conditions to joining the proposed Millard County Fire Service District.

Council Member Greathouse and Millard County Commissioner Warren Jensen both addressed the subject and said that Millard County would be against having a formula contained in the Delta City Resolution 85-134 regarding distribution of funding to the various fire departments. Commissioner Jensen did agree with Delta City that a formula needs to be established that would be binding upon the District and that the formula must be equitable.

The Council discussed the proposed Interlocal Cooperation Act Agreement and the formula therein. The three factors the Council requires in the agreement are the following:

1. The average population within the primary fire response area designated for the Delta Fire Department by the Millard County Fire Board as determined by the Intermountain Power Agency September, 1985, census or such other census as may be agreed to by the parties.

2. The total assessed value of all property within the primary response area assigned to the Delta Fire Department.
3. The number of fires.

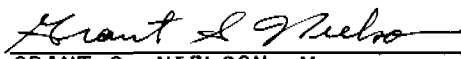
Commissioner Warren Jensen stated that the District will be formed on September 10, 1985, and he again stated that once the District is formed and the board members appointed, they can establish the appropriate formula and rules and regulations.

Following further discussion of the Interlocal Cooperation Act Agreement - Millard County Fire Services Agreement, Council Member Craig Greathouse MOVED to accept the revised Interlocal Cooperation Act Agreement with Millard County as being substantially similar to the one previously approved by the Council. The motion was SECONDED by Council Member Gayle Bunker. Mayor Nielson then asked if there were any further comments or questions regarding the District or the motion. There being none, he called for a vote on the motion, which passed unanimously.


OTHER BUSINESS

Dorothy Jeffery asked the Council Members to notify her if they were going to the Utah League Convention on September 18, 19 and 20, 1985, so she could make proper arrangements for them.

Mayor Nielson asked if there were any further questions or comments. There being none, Council Member Craig Greathouse MOVED the meeting be adjourned. The motion was SECONDED by Council Member Neil Dutson. The motion passed unanimously and the meeting adjourned at 10:35 p.m.


GRANT S. NIELSON, Mayor

Attest:


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: September 9, 1985